

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 46

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Li di o G. Rai nal di

FOR THE INDIAN AFFAIRS COMMITTEE

AN ACT

RELATING TO TOURISM; CREATING THE INTERTRIBAL CEREMONIAL OFFICE  
WITHIN THE TOURISM DEPARTMENT; ESTABLISHING THE INTERTRIBAL  
CEREMONIAL FUND; MAKING AN APPROPRIATION; DECLARING AN  
EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the  
"Intertribal Ceremonial Act".

Section 2. DEFINITIONS.--As used in the Intertribal  
Ceremonial Act:

- A. "department" means the tourism department;
- B. "director" means the director of the intertribal  
ceremonial office;
- C. "fund" means the intertribal ceremonial fund;

and

underscoring material = new  
[bracketed material] = delete

1 D. "office" means the intertribal ceremonial  
2 office.

3 Section 3. INTERTRIBAL CEREMONIAL OFFICE CREATED-- POWERS  
4 AND DUTIES. --

5 A. The "intertribal ceremonial office" is created  
6 and administratively attached to the department.

7 B. The governor shall appoint a director, who shall  
8 work at the pleasure of the governor. The director shall hire  
9 and terminate other necessary employees, who shall be subject  
10 to the provisions of the Personnel Act.

11 C. The director shall:

12 (1) work with the department to establish  
13 steady funding for the intertribal ceremonial;

14 (2) supervise the activities of the office;

15 (3) work with the department to promote the  
16 intertribal ceremonial; and

17 (4) prepare an annual budget and an annual  
18 report on the activities of the office.

19 D. The office, in cooperation with the department,  
20 shall:

21 (1) administer an annual intertribal  
22 ceremonial;

23 (2) cooperate with and assist public and  
24 private entities that seek to promote recognition of ceremonies  
25 significant to Indian tribes and pueblos;

1 (3) function as the coordinating office for  
2 all services and activities pertaining to the intertribal  
3 ceremonial;

4 (4) adopt rules in accordance with the State  
5 Rules Act to carry out the duties of the office;

6 (5) accept gifts, grants, donations, bequests  
7 and devises from any source to be used to carry out its duties;  
8 and

9 (6) enter into contracts.

10 E. The governor shall appoint an intertribal  
11 ceremonial board and the director shall serve ex officio on the  
12 board. The board shall consist of seven members who serve  
13 terms of five years each; provided that the first appointments  
14 shall be made of two board members for one-year terms, two for  
15 two-year terms, one for a three-year term and one for a four-  
16 year term. All intertribal ceremonial board members shall be  
17 bona fide residents of the state, and at least a majority of  
18 the members shall be Native American. A board member shall not  
19 be removed during the term of office except for cause,  
20 following notice and an opportunity for a hearing.

21 Section 4. ~~FUND CREATED--ADMINISTRATION.~~ --The  
22 "intertribal ceremonial fund" is created in the state treasury.  
23 Money in the fund is appropriated to the intertribal ceremonial  
24 office. The fund shall consist of appropriations, gifts,  
25 grants, donations, bequests and devises. Money in the fund at

. 153652. 1

underscored material = new  
[bracketed material] = delete

1 the end of any fiscal year shall not revert. Interest and  
2 earnings from the fund shall be credited to the fund. The fund  
3 shall be administered by the office, and disbursements from the  
4 fund shall be made on warrant drawn by the secretary of finance  
5 and administration pursuant to vouchers signed by the director  
6 or the director's authorized representative.

7 Section 5. COMPENSATION.--Members of the intertribal  
8 ceremonial board shall be reimbursed for per diem and mileage  
9 as provided in the Per Diem and Mileage Act and shall receive  
10 no other compensation, perquisite or allowance.

11 Section 6. APPROPRIATION.--Four hundred thousand dollars  
12 (\$400,000) is appropriated from the general fund to the  
13 intertribal ceremonial office for expenditure in fiscal year  
14 2006 to perform the duties required by the Intertribal  
15 Ceremonial Act. Any unexpended or unencumbered balance  
16 remaining at the end of fiscal year 2006 shall not revert to  
17 the general fund.

18 Section 7. EMERGENCY.--It is necessary for the public  
19 peace, health and safety that this act take effect immediately.